

REMARKS/ARGUMENTS

Reconsideration of this Application and entry of this Amendment is respectfully requested.

35 U.S.C. §103 Rejections

Claims 1-3, 5, 7-13, 15, and 17-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Published Application Publication No. 2003/0083616 A1 to Lee *et al.* in view of U.S. Patent No. 5,881,534 to Ahlqvist *et al.* Applicant respectfully traverses the rejection.

Independent claims 1 and 11 have been amended to recite that the balloon is placed in a first sealed interior space of the pouch and an oxygen absorber is placed in a second sealed interior space of the pouch. FIG. 1 of the present application shows such a pouch, where “seal line 2 ... creates a second sealed interior space 3 to accommodate an oxygen absorber.” (Specification, ¶0024). The Lee *et al.* publication does not disclose such a pouch, nor the step of placing an oxygen absorber within the pouch. In particular, The Lee *et al.* publication discloses a pouch with a single interior space, as shown in FIG. 4, not two sealed interior spaces, as recited in independent claims 1 and 11. Similarly, the Ahlqvist *et al.* patent does not disclose a pouch with a first sealed interior space and a second sealed interior space. Thus, even if combined, the combination does not disclose or render obvious the features recited in independent claims 1 and 11. Further, the Examiner does not explain in the Office Action how the references, alone or in combination, disclose or render obvious the first and second sealed interior spaces of the pouch. Claims 2, 3, 5, 7-10, 12, 13, 15, and 17-26 depend from and add features to independent claims 1 and 11, and are thus allowable over the cited references for at least the same reasons as claims 1 and 11. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 01-2525. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (707) 543-0221.

Respectfully submitted,

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